

February 10, 1999

OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON  
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Seattle, Washington 98164  
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REPORT AND DECISION ON APPEAL OF KING COUNTY CODE VIOLATION.

SUBJECT: Department of Development and Environmental Services File No. **E9700209**

**CAROLE SHERWOOD**  
Code Enforcement Appeal

Location: 17418 & 17420 – 185th Avenue NE, Woodinville

Property Carole Sherwood  
Owner & 13229 Linden Avenue North  
Appellant: Seattle, WA 98133

SUMMARY OF RECOMMENDATIONS & DECISION:

Department's Preliminary Recommendation:	Deny the appeal
Department's Final Recommendation:	Deny the appeal
Examiner's Decision:	Deny the appeal

PRELIMINARY MATTERS:

Notice of appeal received by Examiner:	December 17, 1998
Statement of appeal received by Examiner:	December 17, 1998

EXAMINER PROCEEDINGS:

Hearing Opened:	January 14, 1999
Hearing Closed:	February 4, 1999

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

## ISSUES/TOPICS ADDRESSED:

- Automobile storage
- Rubbish and debris
- Construction without permit

FINDINGS, CONCLUSIONS & DECISION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

## FINDINGS:

1. Carole Sherwood is the owner of property located at 17418 and 17420 - 185th Avenue NE, in King County, Washington. The property located at 17420 is occupied by Tom Riggs, Ms. Sherwood's son.
2. A storage building has been constructed without a permit on the subject property. The appellant has promised that a permit would be applied for, but no application has been made to King County Department of Development and Environmental Services.
3. The subject property contains numerous abandoned and junk vehicles, parked on unimproved surfaces.
4. The property contains junk and debris, the extent of which constitutes a public nuisance.

## CONCLUSIONS:

1. Construction and maintenance of a storage building on the subject property without the required permits is a violation of Chapter 16.04 of the King County Code and of the Uniform Building Code.
2. The number of vehicles parked or stored outside of buildings on the subject property violates King County Code Section 21A.18.110(J).
3. The use of the subject property for the storage of rubbish and debris, and for the storage of abandoned, wrecked, dismantled and inoperative vehicles and vehicle parts, constitutes a public nuisance pursuant to KCC 21A.32.230.
4. The appeal of Carole Sherwood should be denied, and the Notice of King County Code Violation: Civil Penalty Order: Abatement Order: Notice of Lien: Duty to Notify issued by the King County Department of Development and Environmental Services on August 17, 1998, should be enforced by the Department. A reasonable period to allow the property owner to correct the violations on the subject property is 45 days.

DECISION:

The appeal by Carole Sherwood of the August 17, 1998 Notice and Order is DENIED.

The appellant is granted until March 29, 1999, to correct the subject violations, following which date the Department of Development and Environmental Services may proceed to abate the violations.

The penalty set forth in the Notice and Order shall accrue from March 29, 1999, unless all violations are corrected by that date.

The administrative costs authorized by code may be billed and collected in the manner provided by law.

ORDERED this 10th day of February, 1999.

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James N. O'Connor  
King County Hearing Examiner

TRANSMITTED this 10th day of February, 1999, by certified and first class mail, to:

Carole Sherwood  
Tom Riggs

TRANSMITTED this 10th day of February, 1999, by interoffice mail, to the following:

Ken Dinsmore  
Darren Wilson  
Brenda Wood

Pursuant to Chapter 20.24, King County Code, the King County Council has directed that the Examiner make the final decision on behalf of the County regarding code enforcement appeals. The Examiner's decision shall be final and conclusive unless proceedings for review of the decision are properly commenced in Superior Court within twenty-one (21) days of issuance of the Examiner's decision. (The Land Use Petition Act defines the date of issuance as three days after a written decision is mailed.)

MINUTES OF THE JANUARY 14, 1999 AND FEBRUARY 4, 1999 PUBLIC HEARING ON  
DEPARTMENT OF DEVELOPMENT & ENVIRONMENTAL SERVICES FILE NO.  
E9700209 - SHERWOOD:

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing were Ken Dinsmore, Darren Wilson, and Thomas Riggs.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 Department of Development and Environmental Services Preliminary Report to the Hearing Examiner for the January 14, 1999 public hearing
- Exhibit No. 2 Copy of Notice and Order dated August 17, 1998
- Exhibit No. 3 Copy of Appeal from Carole Sherwood dated September 5, 1998
- Exhibit No. 4 Copy of Partial Appeal from Carole Sherwood dated August 29, 1998
- Exhibit No. 5 Copy of Violation 2 letter from DDES dated August 28, 1998
- Exhibit No. 6 Copy of Violation 1 letter from DDES dated April 18, 1997
- Exhibit No. 7 Photographs of subject property taken September 9, 1998, by DDES Staff
- Exhibit No. 8 Photographs of subject property taken January 13, 1999, by DDES Staff

JNOC:gb/daz

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